



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING**

**Tuesday, September 22, 2020
8:00 PM**

PROPOSED AGENDA

This agenda is prepared for the information of the public. It is the order of the meeting; however, if changes in order, deletions or additions are made, they will be noted at the time.

1. Roll Call
2. Invocation
3. Salute to the flag
4. Appointments
5. Presentations
6. Advertised Hearings
 1. GENERAL ORDINANCE NO. 2189
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REVISING THE SUBMISSION REQUIREMENTS FOR PRELIMINARY AND FINAL SITE PLAN AND PRELIMINARY AND FINAL SUBDIVISION APPLICATIONS
 2. GENERAL ORDINANCE NO. 2190
AN ORDINANCE OF THE TOWN OF WESTFIELD AMENDING THE EXTERIOR PROPERTY MAINTENANCE CODE
7. Approval of Minutes from Town Council Executive Session held September 8, 2020
Approval of Minutes from Town Council Regular Meeting held September 8, 2020
8. Petitions and Communications
9. Open discussion by citizens
10. Bills and Claims in the amount of \$216,729.19
11. Reports of Standing Committees

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to refund Recreation Department fees
2. Resolution authorizing the Chief Financial Officer to draw warrant for overpaid taxes in 2020

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution to approve annual renewal of Alcoholic Beverage Liquor Licenses
2. GENERAL ORDINANCE NO. 2191
AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 20
3. GENERAL ORDINANCE NO. 2192
AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO INCLUDE A REPORT AND RECOMMENDATION OF THE WESTFIELD FIRE DEPARTMENT ON DEVELOPMENT APPLICATIONS
4. GENERAL ORDINANCE NO. 2193
AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD BY DEFINING ARTISAN MANUFACTURING AND ESTABLISHING THEM AS A PERMITTED PRINCIPAL USE IN CERTAIN ZONE DISTRICTS
5. GENERAL ORDINANCE NO. 2194
AN ORDINANCE AMENDING GENERAL ORDINANCE NO. 2171 PROVIDING FOR THE IMPLEMENTATION IN THE TOWN OF WESTFIELD OF THE "FIVE YEAR TAX EXEMPTION AND ABATEMENT LAW" PURSUANT TO N.J.S.A. 40A: 21-1

Public Works Committee

12. Reports of Department Heads

Adjournment

TOWN OF WESTFIELD

WESTFIELD, NEW JERSEY

GENERAL ORDINANCE NO. 2189

**AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF
WESTFIELD REVISING THE SUBMISSION REQUIREMENTS FOR PRELIMINARY
AND FINAL SITE PLAN AND PRELIMINARY AND FINAL SUBDIVISION
APPLICATIONS**

WHEREAS, on June 9, 2020 the Mayor and Council of the Town of Westfield adopted Resolution Number 127-2020 which adopted a Sustainable Land Use Pledge that resolves to apply land use principles when completing Master Plan Elements and amending Town land use ordinances; and

WHEREAS, on September 8, 2020 the Town of Westfield adopted a resolution establishing a Green Building Policy for civic, commercial, and residential buildings that includes a pledge to continue to incorporate the principles of green design and renewable energy generation to the extent feasible in municipal buildings and design and when updating site plan and subdivision requirements for residential and commercial buildings and properties; and

WHEREAS, the Mayor and Council of the Town of Westfield desire to incorporate a Green Development Checklist, that includes various green development design strategies that can be implemented as part of a residential or commercial development, into Article 9, entitled "Submission Requirements for Development Regulations" of the Land Use Ordinance of the Town of Westfield. The information provided in the checklist will guide and inform the dialogue between an applicant and the Town regarding possible options and opportunities to use resources more efficiently, promote smart economic development, improve the environment, and generally improve the quality of life in the Town; and

WHEREAS, the Mayor and Council of the Town of Westfield finds that the public welfare will be served by assuring further development is consistent with the Town's desire to create a more sustainable community; and

NOW, THEREFORE BE IT ORDAINED, as follows:

Section I. Article 9, titled "Submission Requirements for Development

Applications", is hereby amended by adding a new subsection 9.13 titled "Green Development Checklist" which shall read as follows:

§9.13 GREEN DEVELOPMENT CHECKLIST

In addition to the requirements indicated elsewhere in this article, all applications for preliminary and final major subdivision approval and preliminary and final major site plan approval shall complete and submit the following Green Development Checklist. Failure to do so will render the application incomplete. While completion of the checklist is mandatory, it is for information purposes only, and compliance with the items found herein will not become a condition of approval.

The checklist includes various green development design strategies that can be implemented as part of a residential or commercial development. The information provided in the checklist will guide and inform the dialogue between an applicant and the Town regarding possible options and opportunities to use resources more efficiently, promote smart economic development, improve the environment, and generally improve the quality of life in the Town.

The checklist is organized into three sections: first, it addresses the site within its regional and local context, looking at its physical location, development status, and availability of certain infrastructure; second, it addresses the impact of the proposed development on the site itself; and third, it addresses the structures on the site.

The applicant should provide examples of how they meet or address each of the items in the checklist.

	YES	No	COMMENTS
SECTION A. CONTEXT			
1. Is the site a redevelopment or brownfield site?			
2. Is the site served by public transit, or easily accessible on foot or by bicycle?			
3. Is there train service within ½ mile or bus service			

within ¼ mile?			
4. Are the roads within the development designed as "Complete Streets?" (which serve all users not only motorists) <i>(Examples: sidewalks, enhanced crosswalks, traffic calming, bike lanes, transit shelters)</i>			
5. Does the development include historic preservation, or adaptive reuse of existing facilities?			
6. Does the site's location, scale or use support the historic context of surrounding historic properties?			
7. Does the development provide or enhance the following:			
a) A mix of land use types? Please list.			
b) Housing diversity by type and income?			
c) Civic & public spaces or have proximity to them? <i>(Examples: open plazas, courtyards, public art)</i>			
d) Recreation facilities and green space/parks (or have proximity to them) and is it part of an integrated network?			
e) Alternative parking designs such as reduced parking ratios, compact stalls, banked parking, shared parking, priority parking for low emission vehicles and provisions for bicycle storage and electric vehicle charging stations?			
f) Access to or partnerships with local farms or farmers' markets to promote local food production?			

g) Open space?			
h) Natural features such as rivers, streams, shorelines, wetlands, forests, or wildlife habitats?			
i) Pedestrian access to waterfronts?			
j) Regional stormwater management? (A regional stormwater management plan addresses stormwater-related water quality and water quantity impacts of new and existing land uses on a drainage area basis and is not limited to on-site stormwater management measures.)			

	YES	No	COMMENTS
SECTION B. SITE DEVELOPMENT			
1. Does the design provide for the following:			
a) Minimum site disturbance during construction? [SJ]			
b) Increased erosion and sedimentation control beyond county or municipal requirements?			
c) Low Impact Design features such as:			
▪ Bio-swales			
▪ Rain gardens			
▪ Green Roofs			
▪ Pervious pavements			
▪ Green Walls (Also known as vertical gardens, they are designed and engineered for maximum biofiltration of indoor air, thermal regulation and aesthetics.)			
▪ Trees (beyond that required by the ordinance)			
▪ Indigenous plant species (non-invasive species, low maintenance landscaping)			
▪ Onsite management of vegetative waste			
d) Regenerative Design?			

<ul style="list-style-type: none"> Does the site design conserve habitat, wetlands or water bodies? 			
<ul style="list-style-type: none"> Does the site design include restoration of habitat, wetlands or water bodies? 			
<ul style="list-style-type: none"> Does the project include long-term conservation management of habitat, wetlands or water bodies? 			
2. Does the site minimize heat island effects through reduced paving, enhanced landscaping, green roofs, or other methods?			
3. Does the site provide alternatives to single occupancy vehicles such as van spaces, bike storage and changing facilities, and alternative energy vehicle parking and charging facilities?			
4. Does the site include light pollution reduction techniques that help prevent misdirected or excessive light to reduce glare, light trespass, and sky-glow?			
5. Does the site include energy efficient site lighting and controls?			
6. Have steps been taken to limit disruption of natural hydrology by reducing impervious cover or increasing on-site infiltration?			
7. On sites adjacent to waterways - have slopes and existing vegetation been stabilized and protected?			
8. Do the landscape and stormwater management			

specifications employ integrated pest management practices? (IPM takes advantage of all appropriate pest management options including, but not limited to, the judicious use of pesticides.)			
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	YES	No	COMMENTS
SECTION C. GREEN BUILDING			
<p>1. Does the building(s) meet any criteria for a Certified Green Building?</p> <p>(A Green Building - also referred to as sustainable or high-performance building - is a collection of better design, construction, and operating practices that have the potential to reduce or eliminate the negative impacts of development on the environment and on human health. Green building programs and guidelines commonly address energy efficiency and carbon emissions reduction, water conservation, waste reduction, healthy and sustainably produced materials, indoor air quality, occupant productivity and health, and other components of green building. For more info visit: http://rcgb.rutgers.edu or https://new.usgbc.org/leed)</p>			
2. Is the building oriented to maximize the benefits of daylighting and energy conservation and minimize any detrimental impacts on surrounding sites?			
{Example - Maximize southern			

<i>building exposure for solar energy, orient building to minimize effects of cold winter winds and maximize cool summer breezes. Minimize shadows on open space and other buildings.)</i>			
3. Water Reduction			
a) Does the building provide a 20% or greater reduction beyond minimum water efficiency standards set by the EPA or local government whichever is greater? http://www.epa.gov/watersense			
b) Does the building employ water conservation features including low-flow fixtures, waterless urinals, or sensor-controlled faucets?			
c) Does the building capture and re-use rainwater, gray water or storm water?			
d) Is wastewater treated onsite and recharged to the ground?			
4. Energy			
a) Does the building reduce energy usage through efficient heating and cooling, geothermal technology, enhanced daylighting, efficient lighting, occupant controls and an efficient building envelope?			
b) Does the project incorporate Energy Star-labeled building products?			
c) Does the building include onsite energy generation, e.g. solar or wind?			
d) What is the anticipated energy savings expected to be realized from any or all of the above?			
e) What are the anticipated carbon emission reductions			

5. Indoor Air Quality			
a) Does the building utilize natural ventilation and efficient use of outdoor air during heating and cooling periods?			
b) Are other measures such as reducing the quantity of VOCs from adhesives, sealants, paints, composite wood systems and carpet systems being used to improve indoor air quality?			
6. Materials			
a) Is an existing building being reused? If so, to what extent - 100%, 75%, 50%?			
b) Are there waste management/recycling plans in place to divert construction, demolition and land clearing debris from landfill disposal?			
c) Are any building materials reused on or off-site?			
d) Do new building materials contain recycled content? If so, to what extent (%)?			
e) Are building materials extracted, processed or manufactured locally or within the region (within a 500 mile radius)?			

SECTION II. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION III. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect

the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION IV. This ordinance shall take effect after passage and publication in the manner provided by law.

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

GENERAL ORDINANCE NO. 2190

**AN ORDINANCE OF THE TOWN OF WESTFIELD AMENDING
THE EXTERIOR PROPERTY MAINTENANCE CODE**

WHEREAS, the Mayor and Town Council of the Town of Westfield (the “Town”) are charged with setting forth standards with respect to structures and premises, establishing minimum maintenance standards for the exterior of all premises, fixing the responsibility of owners and occupants of premises, providing for remedial actions and penalties, and protecting the values of adjacent properties, health and safety standards and maintaining the aesthetics of the Town; and

WHEREAS, all native and non-native vines and vegetation that grow out of place and are competitive, persistent, and pernicious may damage trees, vegetation, or structures. Examples include, but are not limited to, bamboo (spreading or running type), ragweed, multi flora rose, kudzu-vine and poison ivy or oak; and

WHEREAS, the Mayor and Town Council have therefore determined that regulating the planting and growth of bamboo in order to protect and promote the public health through the control of the growth of invasive plant species is necessary, and that failure to control the spread of such vines and vegetation beyond the boundaries of a resident’s property is a violation of this article; and

WHEREAS, the Mayor and Town Council have further determined that it is necessary to shorten the time frame to comply with the Exterior Property Maintenance Code to ensure compliance by property owners in a timely manner.

NOW, THEREFORE, BE IT RESOLVED, as follows:

SECTION I. Chapter 35, “Exterior Property Maintenance Code, Section 35-1.1, “Title; Policy; Purpose,” of the Town Code shall be and is hereby amended and supplemented by the addition of the following:

§ 35-1.1 Title; Policy; Purpose

- (a) Title. This chapter shall be known as the “Exterior Property Maintenance Code of the Town of Westfield” and will hereinafter in this chapter be referred to as “the Exterior Property Maintenance Code.”
- (b) Findings and declaration of policy. It is found and declared that there exist in the Town of Westfield vacant lots and premises used for residential and nonresidential purposes which are or may become in the future substandard with respect to structure or maintenance and, further, that such conditions, including, without limitation, structural deterioration; lack of maintenance of the exterior of premises; uncontrollable growth

of grass, weeds, or invasive plant species; and infestations of vermin are or could become injurious to the public health, safety, and welfare.

- (c) Purpose. This Exterior Property Maintenance Code sets forth standards with respect to structures and premises, establishes minimum maintenance standards for the exterior of all premises, fixes the responsibility of owners and occupants of premises, provides for remedial actions and penalties, and is intended to be enforced to protect the values of adjacent properties, health and safety standards and to maintain the aesthetics of the Town.

SECTION II. Chapter 35, “Exterior Property Maintenance Code, Section 35-3.2, “Terms Defined,” of the Town Code shall be and is hereby amended and supplemented by the addition of the following:

§ 35-3.2 Terms Defined

As used in this chapter, the following terms shall have the meanings indicated:

APPROVED

As applied to material, device or method of construction, shall mean approved by other authority designated by law to give approval in the matter in question.

BLIGHTED CONDITION

A condition when the premises are in a state of deterioration so as to present a distracting appearance to the neighborhood.

CONDEMN

To determine unfit for use or occupancy.

CONDEMNATION

The act of condemning in accordance with this Exterior Property Maintenance Code or the Uniform Construction Code.

DWELLING UNIT

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

ENFORCEMENT OFFICER

The enforcement officer shall be a properly qualified Town employee as designated from time to time by the Town Administrator, including, without limitation, the Town

Construction Official. More than one enforcement officer may be designated by the Town Administrator.

EXTERIOR PROPERTY MAINTENANCE CODE COMMITTEE

A committee of Town officials consisting of the Town Administrator, the Town Engineer, the Town Health Officer, the Town Construction Official and the Town Planner or their respective designee. Any hearing before such committee shall be attended by at least three of such persons.

EXTERMINATION

The control and elimination of insects, rats or pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; or by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

GARBAGE

The animal, vegetable and other organic waste resulting from the handling, preparation, cooking and consumption of food.

INFESTATION

The presence within or contiguous to a structure or premises of rats, vermin or other rodents, squirrels, skunks or raccoons.

INVASIVE PLANT SPECIES

All native and non-native vines and vegetation that grow out of place and are competitive, persistent, and pernicious. These plants may damage trees, vegetation, or structures. Examples include, but are not limited to, bamboo (spreading or running type), ragweed, multi flora rose, kudzu-vine and poison ivy or oak.

MAINTENANCE

The acts of repair and other acts to prevent a decline in the condition of grounds, structures and equipment such that the condition does not fall below the standards established by this Exterior Property Maintenance Code and other applicable statutes, codes and ordinances.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS-4)

A conveyance or system of conveyances (including Roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Town or other public body, and is designed and used for collecting and conveying stormwater.

OCCUPANT

Any person, including domestic service employees, living and/or sleeping in a dwelling unit or having possession of a space within a structure.

OPERATOR

Any person who has charge, care or control of a premises, or part thereof, whether with or without the knowledge and consent of the owner.

OWNER

Any person having the legal or equitable interest in the property; or recorded in the official records of state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON

Any individual, corporation, company, partnership, limited-liability company, firm, trust, association, or political subdivision of this state subject to municipal jurisdiction.

PREMISES

A lot, plot or parcel of land, including any buildings or structures thereon.

PUBLIC NUISANCE

Shall mean and include, without limitation, the following:

- (a) The physical condition or use of any premises which is recognized in law or equity jurisprudence, or as provided by the Statutes of the State of New Jersey or in the ordinances of the Town as a public nuisance;
- (b) Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including but not limited to abandoned wells, shafts, basements and excavations;
- (c) Any premises which has unsanitary sewage facilities;
- (d) Any premises designated as unsafe for human habitation or use;

- (e) Any premises on which is stored flammable substances in an unsafe manner;
- (f) Any premises with respect to which the required precautions against trespassers have not been provided;
- (g) Any premises which is unsanitary or which is littered with rubbish or garbage or which has an uncontrolled growth of grass, weeds, invasive plant species, or other vegetation and/or which premises is deficient of an established front lawn;
- (h) Any structure or building that is in a state of dilapidation, deterioration or decay; faulty construction; open or abandoned; damaged by fire to the extent as not to provide shelter, in danger of collapse or failure and dangerous to anyone on or near the premises.

RUBBISH

All combustible and noncombustible waste material, or packaged recyclables, except garbage, including, without limitation, paper, cartons, boxes, wood, rubber, plastic, leather, tree branches, tree limbs or tree roots, tree rounds, yard trimmings, metal containers, glass, dead animals, excavation materials, abandoned bricks and other construction materials, industrial waste and abandoned motor vehicles and boats.

STORM DRAIN INLET

An opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

STRUCTURE

Any assembly of materials forming a construction, including, but not limited to, buildings, stadiums, tents, platforms, towers, poles, aboveground and below ground storage tanks, trestles, sheds, bins, shelters, fences, walls, mobile homes or trailers, portable buildings, display racks and signs, swimming pools, tennis courts, decks and patios.

SUPPLIED

Installed, furnished or provided by the owner or operator.

UNIFORM CONSTRUCTION CODE

The Uniform Construction Code adopted by the State of New Jersey for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures.

WATERS OF THE STATE

The ocean and its estuaries, all springs, streams and bodies of surface- or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Chapter 35, “Exterior Property Maintenance Code, Section 35-7.9, “Grass and Other Plant Growth,” of the Town Code shall be and is hereby amended by the following:

§ 35-7.9 Grass and Other Plant Growth

- (a) All premises shall be maintained free from grass growth, weeds or other invasive plant species growth which are detrimental to the public health and welfare, or excessively overgrown as compared to the character and condition of the surrounding properties and where the same could constitute a blighted condition or public nuisance.
- (b) Failure to control the spread of such grass growth, weeds, or other invasive plant species growth beyond the boundaries of a resident’s property is a violation of this Chapter. All new in-ground plantings of invasive plant species are strictly prohibited. All existing plantings must be contained by appropriate physical barriers to prevent the growth or spread of existing invasive plant species beyond the boundaries of a resident’s property.
- (c) Whenever grass growth, weeds, or invasive plant species growth as defined by this Chapter is found on any plot of land, lot or any other premises or place, and is found to lack appropriate physical barriers to prevent the spread or growth of the species, or is found to have spread beyond the boundaries of a property, a notice or order shall be given to the owner of the property from which the invasive plant species has spread, in writing, to remove or abate the invasive plant species within the time allotted by this Chapter. The cost of all remedies, including the removal of plantings of invasive plant species, shall be borne by the property owner.

SECTION IV. Chapter 35, “Exterior Property Maintenance Code, Section 35-10.3, “Contents of Notices and Orders,” of the Town Code shall be and is hereby amended by the following:

§ 35-10.3 Contents of Notices and Orders

A notice or order pursuant to this Exterior Property Maintenance Code shall:

- (a) Be in writing.
- (b) Include a description of the real estate sufficient for identification.
- (c) Include a statement of the reason or reasons why it is being issued.

- (d) In the case of a condemnation order, include a date by which the premises must be vacated and closed up.
- (e) If applicable, include a correction order allowing fourteen (14) days for the repairs and improvements required to bring the premises into compliance with this Exterior Property Maintenance Code. The recipient of said notice may apply in writing for an extension of time for such work to be completed to the enforcement officer which may be granted or denied at the discretion of the enforcement officer. A shorter time period may be required by the enforcement officer if in his opinion it is required for reasons of public safety.
- (f) Include an explanation of the owner's right to seek modification or withdrawal of the notice or order by petition of appeal to the Exterior Property Maintenance Code Committee, or in the case of a demolition order, include a date by which application for a restraining order may be made to a court of competent jurisdiction.
- (g) Include a statement of the penal and remedial provisions available to the Town for noncompliance.

SECTION V. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION VI. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION VII. This Ordinance shall take effect after passage and publication in the manner provided by law.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

SEPTEMBER 22, 2020

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Mary Flaherty 233 Elizabeth Ave Westfield, NJ 07090	T-05-600-071 Tennis/Rec Sports Clinics	Refund Track / Fall 2020 Switched from 12 to 8 clinics Caden Flaherty	\$50.00

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

SEPTEMBER 22, 2020

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2020:

Block/Lot/Qualifier		Quarter/Year
<u>Name</u>	<u>Property Address</u>	<u>Amount</u>
806/7	734 Coleman Place	3 rd /2020
SHABINAW, Kenneth A & Donna A		\$3,649.15
Check payable and mail to:		
Signature Closing Services LLC		
Attn: Kelli Burdge		
520 Speedwell Avenue, Suite 103		
Morris Plains, New Jersey 07950		
4809/10	932 Grandview Avenue	3 rd /2020
SOHRABI, Mahmood & Rostami, Roya		\$2,895.17

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO. 2020

CODE REVIEW & TOWN PROPERTY COMMITTEE

SEPTEMBER 22, 2020

BE IT RESOLVED that application for the following liquor license renewals for the 2020-2021 licensing term be and hereby are granted, subject to full compliance with Alcoholic Beverage Law R.S. 33:1.1 et. seq.:

PLENARY RETAIL DISTRIBUTION LICENSE

Parikhs Corporation t/a Central Avenue Wines & Liquors 2020-44-018-010	781 Central Avenue
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Shreeji Holdings, LLC. 2020-44-013-008 t/a Liquor Basket of Westfield	115 Quimby Street
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Saamro, LLC t/a Westfield Wine & Liquor 2020-44-017-011	270 North Avenue E.
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PLENARY RETAIL CONSUMPTION LICENSE

Prospect Associates, LLC t/a 16 Prospect Wine Bar and Bistro 2020-33-015-010	16 Prospect Street
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HBC US Propco Holdings, LLC 2020-33-001-009	inactive
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RESTAURANT CONDITIONAL LICENSES

DU International, LLC t/a Akai Lounge 2020-33-005-007	102 East Broad Street
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Sweet Waters, Inc. t/a Sweet Waters Steak House 2020-33-022-005	43 Elm Street
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CLUB LICENSE

Italian American Club 2020-31-021-001	505 Central Avenue
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Centennial Lodge #400 IBPOE 2020-31-020-001	444 West Broad Street
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American Legion Incorporated
Martin Wallberg Post 3
2020-31-019-002

1003 North Avenue West

TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2191

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 20

BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union as follows:

SECTION I.

Chapter 20, Article I, Section 20-2 of the Town Code is hereby amended in its entirety to read as follows:

1. Sec. 20-2 "Permits; fees for same."

Where there is no existing sewer connection or an existing connection is to be altered, affected or disconnected and reconnected for one or more residential or other units, there is hereby imposed the following fees to be paid to the Town before such unit or units are connected:

- | | |
|-------------------------------------|---|
| a. Residential Use - New Connection | \$2,000 per individual dwelling unit |
| b. All other uses | \$2,000 per equivalent dwelling unit (EDU), or part thereof |

For purposes of this section, each individual residential dwelling unit shall be deemed to constitute a single connection unit. An equivalent dwelling unit (EDU) shall be defined as three hundred (300) gallons per day average daily flow. In the case of any other types of structures or uses, permit fees shall be determined by the Town Engineer utilizing the design criteria suggested by the New Jersey Department of Environmental Protection or such other established and reliable sources, including but not limited to N.J.A.C. 7:14A-23.3. The minimum connection fee shall be equivalent to that of a single-family dwelling unit as specified herein.

There shall be a multiple-family residential connection fee payable to the Town of Westfield, covering multiple-family buildings, which shall equal the basic residential use connection fee times the number of equivalent dwelling units in any such building.

Prior to the issuance of a Certificate of Occupancy, and upon request from the Construction Official, the Town Engineer shall certify that all sewer permit fees have been paid in full to the Town.

SECTION II. All ordinances or parts of ordinances in conflict or inconsistent with any part of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION III. In the event any section, part or provision of this ordinance shall be held unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof other than the part so held unconstitutional or invalid.

SECTION IV. This ordinance shall take effect after passage and publication, as soon as, and in the manner permitted by law.

**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2192**

**AN ORDINANCE TO AMEND CERTAIN PROVISIONS
OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO INCLUDE A
REPORT AND RECOMMENDATION OF THE WESTFIELD FIRE DEPARTMENT ON
DEVELOPMENT APPLICATIONS**

WHEREAS, it is the desire of the Town Council of the Town of Westfield to include departments and agencies of Westfield in the review process for land use applications; and

WHEREAS, the Land Use Ordinance does not presently specifically identify the Westfield Fire Department as a required referral on land use applications before the Planning Board or Zoning Board of Adjustment; and

WHEREAS, allowing for a report and recommendation of the Westfield Fire Department in the planning stages will improve the accessibility of apparatus and personnel and can help mitigate any access issues during a call for service; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union as follows:

SECTION I. Article 8, Section 8.06 titled “General review procedures” is hereby amended and supplemented to renumber §8.06B(4) to §8.06B(5) and insert the new language below for §8.06B(4) to read:

“4. The Westfield Fire Department, which shall review and comment on the application; and”

SECTION II. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION III. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION IV. This ordinance shall take effect after passage and publication in the manner provided by law.

**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2193**

**AN ORDINANCE TO AMEND CERTAIN PROVISIONS
OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD
BY DEFINING ARTISAN MANUFACTURING AND ESTABLISHING THEM AS A
PERMITTED PRINCIPAL USE IN CERTAIN ZONE DISTRICTS**

WHEREAS, periodic update of allowable uses within non-residential zone districts is desirable to help promote economic development and sustainability in Town; and

WHEREAS, commercial districts need to provide a variety of goods and services to serve residents and visitors to the community; and

WHEREAS, the Town Council does hereby find that the public interest of the Town of Westfield will be served by amending the Land Use Ordinance of the Town of Westfield in the manner set forth herein.

NOW, THEREFORE, BE IT THEREFORE ORDAINED by the Town Council of the Town of Westfield, in the County of Union and the State of New Jersey, as follows:

SECTION I. Article 2, Section 2.04 titled “DEFINITIONS; A” is hereby amended and supplemented to include a new definition for Artisan Manufacturing which shall be inserted as a new subsection R which shall read as set forth herein. The existing subsections R through W shall be re-lettered S through X respectively.

R. **Artisan Manufacturing.** The shared or individual use of hand-tools, mechanical tools and electronic tools, and which may include instruction in the use of those tools, for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to: electronic goods; printmaking; leather products; jewelry and clothing/apparel; metal work; wood work; furniture; glass or ceramic production; paper manufacturing. Artisan manufacturing uses shall include a retail sales component that is publicly accessible.

SECTION II. Article 11, Section 11.25 titled “CBD CENTRAL BUSINESS DISTRICT”, subsection A. titled “Principal Uses and Structures” is hereby amended by adding Artisan Manufacturing as a new subsection 12 which shall read as follows:

12. Artisan Manufacturing

SECTION III. Article 11, Section 11.26 titled “GB-1 GENERAL BUSINESS DISTRICT”, subsection A. titled “Principal Uses and Structures” is hereby amended by adding Artisan Manufacturing as a new subsection 12 which shall read as follows:

12. Artisan Manufacturing

SECTION IV. Article 11, Section 11.27 titled “GB-2 GENERAL BUSINESS DISTRICT”, subsection A. titled “Principal Uses and Structures” is hereby amended by adding Artisan Manufacturing as a new subsection 13 which shall read as follows:

13. Artisan Manufacturing

SECTION V. Article 11, Section 11.27 titled “GB-2 GENERAL BUSINESS DISTRICT”, subsection D. titled “Prohibited Uses and Structures”, subsection 1 is hereby amended to read as follows:

1. manufacturing, assembly or fabrication of goods or merchandise, except as part of uses determined to be Artisan Manufacturing as defined in Article 2.

SECTION VI. Article 11, Section 11.28 titled “GB-3 GENERAL BUSINESS DISTRICT”, subsection A. titled “Principal Uses and Structures” is hereby amended by adding Artisan Manufacturing as a new subsection 9 which shall read as follows:

9. Artisan Manufacturing

SECTION VII. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION VIII. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION IX. This ordinance shall take effect after passage and publication in the manner provided by law.

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

GENERAL ORDINANCE NO. 2194

**AN ORDINANCE AMENDING GENERAL ORDINANCE
NO. 2171 PROVIDING FOR THE IMPLEMENTATION IN
THE TOWN OF WESTFIELD OF THE “FIVE YEAR TAX
EXEMPTION AND ABATEMENT LAW” PURSUANT TO
N.J.S.A. 40A: 21-1**

WHEREAS, pursuant to the Five-Year Exemption and Abatement Law, *N.J.S.A. 40A:21-1, et seq.* (the “**Law**”), a municipality having within its corporate limits areas in need of rehabilitation or redevelopment, may, by ordinance, provide for the exemption and/or abatement of real property taxes, to encourage and provide incentives for the construction and rehabilitation of dwellings, multiple dwellings, mixed use structures and industrial and commercial structures; and

WHEREAS, on May 12, 2020, the Mayor and Council of the Town of Westfield (the “**Governing Body**”) adopted Resolution No. 108-2020 designating the Town’s downtown area which is coterminous with the Westfield Special Improvement District, as more particularly depicted and described in Exhibit A to the Resolution, as an area in need of rehabilitation pursuant to *N.J.S.A. 40A:12A-1, et seq.*; and

WHEREAS, on June 9, 2020, the Governing Body adopted General Ordinance No. 2171 providing for the implementation of the Law in the Town of Westfield (the “**Town**”) within the boundaries of the Rehabilitation Area; and

WHEREAS, on June 9, 2020, the Governing Body adopted General Ordinance No. 2171, entitled “An Ordinance Providing for the Implementation in the Town of Westfield of the, “*Five Year Tax Exemption and Abatement Law Pursuant to N.J.S.A. 40A:21-1*” (the “**Tax Exemption Ordinance**”); and

WHEREAS, on September 8, 2020, the Governing Body adopted Resolution No. 201-2020 referring a report entitled “*Town of Westfield Area in Need of Rehabilitation Study*” dated August 26, 2020, and a proposed resolution designating the entire Town as an area in need of rehabilitation (the “**Rehabilitation Designation Resolution**”); and

WHEREAS, on September 8, 2020, the Governing Body adopted General Ordinance No. 2183 entitled “*An Ordinance Establishing a Historic Preservation Commission and Providing for the Designation and Preservation of Historic Districts and Historic Landmarks in the Town of Westfield*” (the “**Historic Designation Ordinance**”); and

WHEREAS, the Historic Designation Ordinance establishes procedures for the dedication of certain properties in Town as “Historic Landmarks;” and

WHEREAS, the Planning Board has held a public hearing to determine whether or not the entire Town qualifies as an area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1-1, et seq.*, and has returned the Rehabilitation Designation Resolution to the Governing Body with a recommendation that the entire Town does qualify as an area in need of rehabilitation; and

WHEREAS, prior to or simultaneously with the adoption of this Ordinance, the Governing Body has adopted the Rehabilitation Designation Ordinance designating the entire Town as an area in need of rehabilitation; and

WHEREAS, the Governing Body desires to amend the Tax Exemption Ordinance to provide for real estate tax incentives for dwellings, multiple dwellings, mixed use structures and industrial and commercial structures (i) within the boundaries of the Special Improvement District and (ii) that are locally designated Historic Landmarks and/or are located within a locally designated Historic District in accordance with the Historic Designation Ordinance located outside the Special Improvement District, to encourage appropriate and sound development therein; and

WHEREAS, the Law provides for the exemption of assessments on improvements for five years following completion of a project as defined in the Law and the exemption or abatement of property taxes for new construction for a five-year period following completion of the project as defined in the Law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Westfield, that General Ordinance No. 2171 is hereby amended as follows:

1. Section 2 of General Ordinance No. 2171 (to be codified), entitled “**Applicability**” is hereby deleted and replaced with the following:

This ordinance shall be applicable to all properties that are (a) located within an area delineated by the Town as an area in need of rehabilitation pursuant to *N.J.S.A. 40A:12A-1, et seq.*, and (b) are (i) located within the Westfield Special Improvement District as set forth in Article X, Section 2-104 of the Town Ordinances, as may be amended, and/or (ii) locally designated as an Historic Landmark and/or are located within a locally designated Historic District pursuant to General Ordinance 2183.